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MAR 10 2006

MS AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1643PATENT
5012-0104PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: ECKERT, Helmut et al. Conf.: 2392
Appl. No.: 09/889,300 Group: 1643
Filed: September 13, 2001 Examiner: YAEN, C.H.
For: USE OF ANTIBODIES FOR VACCINATION
AGAINST CANCER

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 9, 2006

Sir:

Applicants hereby appeal to the Board of Appeals from the Office Action dated September 9, 2005 of the Primary Examiner twice rejecting claims 1, 7-9, 12 and 14-24.

☐ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☒ This document is being transmitted via facsimile.

The applicant(s) hereby petition(s) for an extension of () month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Office Action. Thus a fee of \$510.00 is required for the full period of the above-requested extension of time.

☐ An extension of () month(s) for responding to the Office Action was previously requested and paid for on

Appl. No. 09/889,300

Thus a fee of \$0.00 is required to obtain an additional () month(s) for filing the Notice of Appeal.

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☐ Large entity - \$500.00

☒ Small Entity - \$250.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$760.00.

Payment of the above TOTAL FEE is being made in the following manner:

☐ Check(s) in the amount of \$0.00 is/are enclosed.

☒ Please charge Deposit Account No. 02-2448 in the amount of \$760.00.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

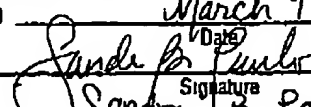
Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  # 47,1664
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LRS/SWG/sbp
5012-0104PUS1

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Re:	Notice of Appeal	CC:	

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